

<i>SERFF Tracking Number:</i>	<i>ZURC-125882729</i>	<i>State:</i>	<i>Arkansas</i>
<i>First Filing Company:</i>	<i>American Zurich Insurance Company, ...</i>	<i>State Tracking Number:</i>	<i>EFT \$50</i>
<i>Company Tracking Number:</i>	<i>CW-GL-27809</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0001 Commercial General Liability</i>
<i>Product Name:</i>	<i>Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing</i>		
<i>Project Name/Number:</i>	<i>Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809</i>		

Filing at a Glance

Companies: American Zurich Insurance Company, American Guarantee and Liability Insurance Company, Colonial American Casualty & Surety Company, Fidelity and Deposit Company of Maryland, Zurich American Insurance Company of Illinois, Zurich American Insurance Company, Empire Fire and Marine Insurance Company

Product Name: Other Liability - Commercial SERFF Tr Num: ZURC-125882729 State: Arkansas

General Liability Diacetyl and Other Related
Flavorings Exclusion Filing

TOI: 17.0 Other Liability - Claims
Made/Occurrence

SERFF Status: Closed

State Tr Num: EFT \$50

Sub-TOI: 17.0001 Commercial General Liability Co Tr Num: CW-GL-27809

State Status: Fees verified and
received

Filing Type: Form

Co Status: Not Applicable

Reviewer(s): Betty Montesi, Edith
Roberts

Author: Diane Zaborowski

Disposition Date: 11/18/2008

Date Submitted: 11/05/2008

Disposition Status: Approved

Effective Date Requested (New): 12/01/2008

Effective Date (New):

Effective Date Requested (Renewal): 12/01/2008

Effective Date (Renewal):

State Filing Description:

General Information

Project Name: Other Liability - Commercial General Liability Diacetyl
and Other Related Flavorings Exclusion Filing

Status of Filing in Domicile: Pending

Project Number: CW-GL-27809

Domicile Status Comments: Countrywide filing
in progress

Reference Organization: N/A

Reference Number: N/A

Reference Title: N/A

Advisory Org. Circular: N/A

Filing Status Changed: 11/18/2008

State Status Changed: 11/18/2008

Deemer Date:

Corresponding Filing Tracking Number: N/A

Filing Description:

SERFF Tracking Number: ZURC-125882729 State: Arkansas
 First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50
 Company Tracking Number: CW-GL-27809
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
 Product Name: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing
 Project Name/Number: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809

In accordance with your state's filing requirements, submitted for your review and approval is a forms filing to introduce a revised optional use endorsement to be used with the ISO Commercial General Liability Coverage Part. Included with this submission are the following:

- State Filing Transmittal Forms
- Explanatory Memorandum
- Mockup of Revised Endorsement
- Final Printed Endorsement

We request this filing become effective to new and renewal business on December 1, 2008.

In accordance with State Statutes, the filing of the rules associated with this program are exempt from your filing requirements.

This filing is being submitted electronically through SERFF. If you have any questions or concerns, please do not hesitate to contact me.

Company and Contact

Filing Contact Information

Diane Zaborowski, Product Analyst	diane.zaborowski@zurichna.com
1400 American Lane	(847) 605-6187 [Phone]
Schaumburg, IL 60196	(847) 605-7768[FAX]

Filing Company Information

American Zurich Insurance Company	CoCode: 40142	State of Domicile: Illinois
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60196	Group Name:	State ID Number:
(847) 605-6000 ext. [Phone]	FEIN Number: 36-3141762	

American Guarantee and Liability Insurance Company	CoCode: 26247	State of Domicile: New York
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60196	Group Name:	State ID Number:

SERFF Tracking Number: ZURC-125882729 State: Arkansas
 First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50
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 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
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(847) 605-6000 ext. [Phone] FEIN Number: 36-6071400

Colonial American Casualty & Surety Company	CoCode: 34347	State of Domicile: Maryland
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60196	Group Name:	State ID Number:
(847) 605-6000 ext. [Phone]	FEIN Number: 52-1096670	

Fidelity and Deposit Company of Maryland	CoCode: 39306	State of Domicile: Maryland
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60196	Group Name:	State ID Number:
(847) 605-6000 ext. [Phone]	FEIN Number: 13-3046577	

Zurich American Insurance Company of Illinois	CoCode: 27855	State of Domicile: Illinois
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60196	Group Name:	State ID Number:
(847) 605-6000 ext. [Phone]	FEIN Number: 36-2781080	

Zurich American Insurance Company	CoCode: 16535	State of Domicile: New York
1400 American Lane	Group Code: 212	Company Type:
Schaumburg, IL 60102	Group Name:	State ID Number:
(847) 605-6000 ext. [Phone]	FEIN Number: 36-4233459	

Empire Fire and Marine Insurance Company	CoCode: 21326	State of Domicile: Nebraska
13810 FNB Parkway	Group Code: 212	Company Type:
Omaha, NE 68154-5202	Group Name:	State ID Number:
(402) 963-5000 ext. [Phone]	FEIN Number: 47-6022701	

SERFF Tracking Number: ZURC-125882729 State: Arkansas

First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: CW-GL-27809

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing

Project Name/Number: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809

Filing Fees

Fee Required? Yes

Fee Amount: \$50.00

Retaliatory? No

Fee Explanation: \$50.00 per form filing

Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
American Zurich Insurance Company	\$0.00	11/05/2008	
American Guarantee and Liability Insurance Company	\$0.00	11/05/2008	
Colonial American Casualty & Surety Company	\$0.00	11/05/2008	
Fidelity and Deposit Company of Maryland	\$0.00	11/05/2008	
Zurich American Insurance Company of Illinois	\$0.00	11/05/2008	
Zurich American Insurance Company	\$50.00	11/05/2008	23730065
Empire Fire and Marine Insurance Company	\$0.00	11/05/2008	

SERFF Tracking Number: ZURC-125882729 State: Arkansas
First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50
Company Tracking Number: CW-GL-27809
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Product Name: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing
Project Name/Number: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	11/18/2008	11/18/2008

SERFF Tracking Number: ZURC-125882729 State: Arkansas
First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50
Company Tracking Number: CW-GL-27809
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
Product Name: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing
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Disposition

Disposition Date: 11/18/2008

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing	0.000%
Overall Percentage Rate Impact For This Filing	0.000%
Effect of Rate Filing-Written Premium Change For This Program	\$0
Effect of Rate Filing - Number of Policyholders Affected	0

SERFF Tracking Number: ZURC-125882729 State: Arkansas

First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: CW-GL-27809

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing

Project Name/Number: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Explanatory Memo and Mockup	Approved	Yes
Form	Diacetyl and Other Related Flavorings Exclusion	Approved	Yes

SERFF Tracking Number: ZURC-125882729 State: Arkansas

First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50

Company Tracking Number: CW-GL-27809

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing

Project Name/Number: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Diacetyl and Other Related Flavorings Exclusion	U-GL-1328-B CW	(09/08)	Endorsement/Amendment/Conditions Replaced	Replaced Form #:0.00 U-GL-1328-A AR (11/07) Previous Filing #: CW GL 26681, AR #AR-PC-07-026401		UGL1328BC W0908.pdf

Diacetyl and Other Related Flavorings Exclusion



Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer	Add'l. Prem	Return Prem.
					\$	\$

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

The following exclusion is added to Paragraph 2., Exclusions of Section I – Coverage A – Bodily Injury And Property Damage Liability and Coverage B – Personal And Advertising Injury Liability:

2. Exclusions

This insurance does not apply to:

- A. "Bodily injury", "property damage" or "personal and advertising injury" arising out of or which would not have occurred, in whole or in part, but for the actual, alleged or threatened discharge, dispersal, release, leakage, leaching, escape or presence of:
 - 1. Ketones or unsaturated aldehydes, including but not limited to diacetyl (2, 3 - butanedione) or acetoin (3 - hydroxybutanone); or
 - 2. Aliphatic aldehydes, including but not limited to acetaldehyde,regardless of whether any other cause, event, material or product contributed concurrently or in any sequence to the injury or damage; or
- B. Any sums that any insured or other entity must pay, repay or reimburse because of any:
 - 1. Request, demand, order, statutory or regulatory requirement, direction or determination that any insured or others test for, investigate, monitor, clean up, remove, study, contain, treat, control or take any other action regarding ketones, unsaturated aldehydes or aliphatic aldehydes; or
 - 2. Claim or "suit" for damages arising out of or relating in any way to any request, demand, order, statutory or regulatory requirement, direction or determination that any insured or others test for, investigate, monitor, clean up, remove, study, contain, treat, control or take any other action regarding ketones, unsaturated aldehydes or aliphatic aldehydes; or
- C. Any other loss, cost or expense arising out of or relating in any way to ketones, unsaturated aldehydes or aliphatic aldehydes.

All other terms and conditions of this policy remain unchanged.

SERFF Tracking Number: *ZURC-125882729* *State:* *Arkansas*
First Filing Company: *American Zurich Insurance Company, ...* *State Tracking Number:* *EFT \$50*
Company Tracking Number: *CW-GL-27809*
TOI: *17.0 Other Liability - Claims Made/Occurrence* *Sub-TOI:* *17.0001 Commercial General Liability*
Product Name: *Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing*
Project Name/Number: *Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809*

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: ZURC-125882729 State: Arkansas
First Filing Company: American Zurich Insurance Company, ... State Tracking Number: EFT \$50
Company Tracking Number: CW-GL-27809
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability
Product Name: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing
Project Name/Number: Other Liability - Commercial General Liability Diacetyl and Other Related Flavorings Exclusion Filing/CW-GL-27809

Supporting Document Schedules

		Review Status:	
Satisfied -Name:	Uniform Transmittal Document-Property & Casualty	Approved	11/18/2008

Comments:

Attachments:

AR NAIC P-C Trans Doc F.pdf
AR F Filing Sch.pdf

		Review Status:	
Satisfied -Name:	Explanatory Memo and Mockup	Approved	11/18/2008

Comments:

Attachments:

CW Diacetyl Explanatory Memorandum.pdf
Arkansas Redlined.pdf

Property & Casualty Transmittal Document

1. Reserved for Insurance Dept. Use Only	2. Insurance Department Use only	
	a. Date the filing is received:	
	b. Analyst:	
	c. Disposition:	
	d. Date of disposition of the filing:	
	e. Effective date of filing:	
	New Business	
	Renewal Business	
	f. State Filing #:	
	g. SERFF Filing #:	
h. Subject Codes		

3. Group Name	Group NAIC #
Zurich North America	212

4. Company Name(s)	Domicile	NAIC #	FEIN #	State #
Zurich American Insurance Company	NY	212-16535	36-4233459	
American Guarantee and Liability Insurance Co.	NY	212-26247	36-6071400	
American Zurich Insurance Company	IL	212-40142	36-3141762	
Zurich American Insurance Company of Illinois	IL	212-27855	36-2781080	
Fidelity and Deposit Company of Maryland	MD	212-39306	13-3046577	
Colonial American Casualty and Surety Company	MD	212-34347	52-1096670	
Empire Fire and Marine Insurance Company	NE	212-21326	47-6022701	

5. Company Tracking Number	CW-GL-27809
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Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6. Name and address	Title	Telephone #s	FAX #	e-mail
Diane M. Zaborowski, AIS Zurich North America 1400 American Lane Schaumburg, IL 60196-1056	Product Analyst	(847) 605-6187	(847) 605-7768	Diane.zaborowski@zurichna.com

7. Signature of authorized filer	<i>Diane M. Zaborowski</i>
8. Please print name of authorized filer	Diane M. Zaborowski, AIS

Filing information (see General Instructions for descriptions of these fields)

9. Type of Insurance (TOI)	17.0 Other Liability-Occ/Claims Made
10. Sub-Type of Insurance (Sub-TOI)	17.0001 Commercial General Liability
11. State Specific Product code(s) (if applicable)[See State Specific Requirements]	
12. Company Program Title (Marketing title)	Revised Diacetyl and Other Related Flavorings Exclusion for use with Commercial General Liability Coverage Part
13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input checked="" type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)
14. Effective Date(s) Requested	New: 12/01/2008 Renewal: 12/01/2008
15. Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

16. Reference Organization (if applicable)	N/A
17. Reference Organization # & Title	N/A
18. Company's Date of Filing	11/05/2008
19. Status of filing in domicile	<input type="checkbox"/> Not Filed <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved

Property & Casualty Transmittal Document—

20. This filing transmittal is part of Company Tracking #	CW-GL-27809
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21. Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]

In accordance with your state's filing requirements, submitted for your review and approval is a forms filing to introduce a revised optional use endorsement to be used with the ISO Commercial General Liability Coverage Part. Included with this submission are the following:

- State Filing Transmittal Forms
- Explanatory Memorandum
- Mockup of Revised Endorsement
- Final Printed Endorsement

We request this filing become effective to new and renewal business on December 1, 2008.

In accordance with State Statutes, the filing of the rules associated with this program are exempt from your filing requirements.

This filing is being submitted electronically through SERFF. If you have any questions or concerns, please do not hesitate to contact me.

22. Filing Fees (Filer must provide check # and fee amount if applicable) [If a state requires you to show how you calculated your filing fees, place that calculation below]

Check #: N/A

Amount: \$50.00

\$50.00 per form filing

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

*****Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)**

FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms)
 (Do not refer to the body of the filing for the forms listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #		CW-GL-27809		
2.	This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable)		N/A		
3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement or Withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01	Diacetyl and Other Related Flavorings Exclusion	U-GL-1328-B CW (09/08)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	U-GL-1328-A AR (11/07)	AR-PC-07-026401
02			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
03			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
04			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
05			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
06			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
07			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
08			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
09			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
10			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		

EXPLANATORY MEMORANDUM
Diacetyl and Other Related Flavorings Exclusion, form U-GL-1328

The purpose of this filing is to replace our previously approved Diacetyl Exclusion with this new revised version.

This new version has been revised for clarity.

- Changes were made to show 'ketones' in front of 'unsaturated aldehydes' and the word 'or' was used in place of 'and' ;
- See paragraph A.1. – we replaced the word 'and' with 'or' to separate 'diacetyl' from 'acetoin' ;
- Note the verbiage that starts with 'regardless of whether...' - this has been indented so that it is now directly under the '2.' as the verbiage applies to 'A.' ;

Included with this filing is a redlined version comparing this new version to that which was previously approved.

We request an effective date of December 1, 2008, for new and renewal business.

Diacetyl and Other Related Flavorings Exclusion



Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer	Add'l. Prem	Return Prem.
					\$	\$



Deleted:

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

The following exclusion is added to Paragraph 2, **Exclusions of Section I – Coverage A – Bodily Injury And Property Damage Liability and Coverage B – Personal And Advertising Injury Liability**.

2. Exclusions

This insurance does not apply to:

A. "Bodily injury", "property damage" or "personal and advertising injury" arising out of or which would not have occurred, in whole or in part, but for the actual, alleged or threatened discharge, dispersal, release, leakage, leaching, escape or presence of:

1. Ketones or unsaturated aldehydes, including but not limited to diacetyl (2, 3 - butanedione) or acetoin (3 - hydroxybutanone); or

2. Aliphatic aldehydes, including but not limited to acetaldehyde,

regardless of whether any other cause, event, material or product contributed concurrently or in any sequence to the injury or damage; or

B. Any sums that any insured or other entity must pay, repay or reimburse because of any:

1. Request, demand, order, statutory or regulatory requirement, direction or determination that any insured or others test for, investigate, monitor, clean up, remove, study, contain, treat, control or take any other action regarding ketones, unsaturated aldehydes or aliphatic aldehydes; or

2. Claim or "suit" for damages arising out of or relating in any way to any request, demand, order, statutory or regulatory requirement, direction or determination that any insured or others test for, investigate, monitor, clean up, remove, study, contain, treat, control or take any other action regarding ketones, unsaturated aldehydes or aliphatic aldehydes; or

C. Any other loss, cost or expense arising out of or relating in any way to ketones, unsaturated aldehydes or aliphatic aldehydes.

All other terms and conditions of this policy remain unchanged.

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